

COMPENSATION BOARD DOCKET #15/02

August 14, 2014

EMPLOYEE RECOGNITION
NONE.

307-15-02: SHERIFFS & REGIONAL JAILS

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
FLUVANNA COUNTY	SHERIFF	<p>8-072-14 Interim Officer requests additional Temporary funding @ \$19,608.58. This is equivalent to the salary of position 00006, L11 at \$57,391 from July 1 to November 4, 2014. The special election will be held November 4, 2014.</p> <p>This request for "additional" funding is made in lieu of a request to transfer these funds to Temporary Funds, as I understand the Compensation Board's interpretation of §24.2-226 and 228 is that position 00006, L11 is not vacant during the period in which I am the Interim Sheriff, consequently funds cannot be transferred from this position.</p>	\$0	Approved at no additional cost to the Compensation Board.

772-15-02: COMMONWEALTH'S ATTORNEYS

OLD BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
ALEXANDRIA CITY	COMMONWEALTH'S ATTORNEY	<p>7-8-2014 Officer requests reconsideration of the Position Reallocation Policy in his office for FY15, citing significant workload demands and the disproportionate impact on his office of losing another position in addition to that lost in FY14 under the reallocation policy.</p> <p>The Compensation Board deferred action on this item pending the results of a discussion in early August with the Board of the Virginia Association of Commonwealth's Attorneys regarding potential upcoming staffing standards revisions and position reallocations under current standards.</p>	\$0	<p>Compensation Board approved an exception to the position reallocation policy for 6 months, allowing the Virginia Association of Commonwealth's Attorneys Staffing Standards Committee sufficient time to decide potential recommendations for revisions to the staffing standards.</p> <p>The Compensation Board will consider this matter again in 6 months after update from staff regarding the review of current standards and potential alternatives.</p>
PORTSMOUTH CITY	COMMONWEALTH'S ATTORNEY	<p>7-8-2014 Officer requests reconsideration of the Position Reallocation Policy in his office for FY15, citing an inability to effectively run his office after the four positions already lost in FY14 under the reallocation policy.</p> <p>The Compensation Board deferred action on this item pending the results of a discussion in early August with the Board of the Virginia Association of Commonwealth's Attorneys regarding potential upcoming staffing standards revisions and position reallocations under current standards.</p>	\$0	<p>Compensation Board approved an exception to the position reallocation policy for 6 months, allowing the Virginia Association of Commonwealth's Attorneys Staffing Standards Committee sufficient time to decide potential recommendations for revisions to the staffing standards.</p> <p>The Compensation Board will consider this matter again in 6 months after update from staff regarding the review of current standards and potential alternatives.</p>

772-15-02: COMMONWEALTH'S ATTORNEYS

OLD BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
NORFOLK CITY	COMMONWEALTH'S ATTORNEY	<p>7-10-2014 Officer requests deferral of implementation of the Position Reallocation Policy in his office for FY15 pending completion of a review of current staffing standards, and the potential for a recommendation to change the standards. Officer states that the current staffing standards methodology does not fully and fairly reflect his office's diligent work.</p> <p>The Compensation Board deferred action on this item pending the results of a discussion in early August with the Board of the Virginia Association of Commonwealth's Attorneys regarding potential upcoming staffing standards revisions and position reallocations under current standards.</p>	\$0	<p>Compensation Board approved an exception to the position reallocation policy for 6 months, for 3 of the positions in excess, allowing the Virginia Association of Commonwealth's Attorneys Staffing Standards Committee sufficient time to decide potential recommendations for revisions to the staffing standards.</p> <p>The Compensation Board will consider this matter again in 6 months after update from staff regarding the review of current standards and potential alternatives.</p> <p>The first 3 positions incurring a vacancy during the year will be held vacant according to policy, however funds can be transferred for reimbursement under another budget category.</p>
PITTSYLVANIA COUNTY	COMMONWEALTH'S ATTORNEY	<p>7-24-2014 Acting Officer requests additional Temporary Funding @ \$17,332.10. This is equivalent to position #1 ATTIV @ \$67,092 from August 1, 2014 to November 4, 2014. The Special Election will be held on November 4, 2014.</p> <p>This request for "additional" funding is made in lieu of a request to transfer these funds to Temporary Funds budget, as I understand that the Compensation Board's interpretation of §24.2-226 and 228 is that position #1 ATTIV is not vacant during the period in which I am the Acting Commonwealth's Attorney, consequently funds cannot be transferred from this position.</p>	\$0	Approved at no additional cost to the Compensation Board

772-15-02: COMMONWEALTH'S ATTORNEYS

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
VIRGINIA BEACH CITY	COMMONWEALTH'S ATTORNEY	<p>8-6-2014 Officer requests reimbursement for two Substitute Prosecutors in the Sterling Wearer case.</p> <p>Officer states: this case was a Portsmouth City case; however Portsmouth had Norfolk City appointed to handle as a Special Prosecutor; Norfolk City then learned they had a conflict and withdrew, having the Virginia Beach Commonwealth's Attorney's office appointed.</p> <p>This office first assigned Mr. de Lalla to the case as he was familiar with Portsmouth and their court procedures. Once this office learned of the complexity and media interest of this case, it was felt appropriate to have a more senior attorney also assigned to assist Mr. de Lalla with the case.</p>	\$260.80	Approved as an exception to policy, based upon the specific conditions stated by the officer.

FIPS	Office	Locality	Prosecutor	Expenses From - To	Defendant	Total
810	772	Virginia Beach City	E. Daniel DeLalla	03-20-2014 / 06-10-2014	Sterling Harrisbe Weaver, Sr.	\$130.40
810	772	Virginia Beach City	Michael Defricke	03-20-2014 / 06-10-2014	Sterling Harrisbe Weaver, Sr.	\$130.40
					Total	\$260.80

772-15-02: COMMONWEALTH'S ATTORNEYS

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
WAYNESBORO CITY	COMMONWEALTH'S ATTORNEY	<p>8-8-2014 Acting Officer requests to transfer Base Temporary Funds in the amount of \$2,908 to pos. 00006 to fund an Internal Salary Adjustment, within 10% of the current salary. This is to be effective August 11, 2014.</p> <p>Pos. 00006, ATIII, current salary of \$67,092, to be increased to \$70,000.</p> <p>Officer acknowledges that due to budget reductions he currently has one unfunded authorized position; and understands that taking action to move base temporary funds to salaries of exiting personnel may significantly reduce his options in dealing with any potential future funding reductions without impacting salaries of permanent staff.</p>	\$0	The Compensation Board approved a transfer of \$2,908 from base Temporary Funds to effect the salary action requested by the officer in accordance with the Compensation Board's pay and classification policy. This action will result in a reduction in the officer's Temporary Fund budget in the current as well as subsequent fiscal years.

FIPS	Office Code	Locality Name	Request Date	From Category	Class Code	To Category	Current Salary	Amount Requested	Pro Rated
820	772	Waynesboro City	8/8/2014	Temporary	ATIII	pos. 00006	\$67,092	\$2,908	\$2,596.43
		Totals						\$2,908	\$2,596

WAYNESBORO CITY	COMMONWEALTH'S ATTORNEY	<p>8-6-2014 Officer requests to transfer the annual vacant salaries of the following positions to Temporary Funds. This is to be effective August 1, 2014.</p> <p>Officer states he does not intend to fill these vacant positions in FY15.</p>	\$0	Approved per the Compensation Board's FY15 Budget Priorities and Policies. This is a one-time transfer, not in the base budget.
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FIPS	Office Code	Locality Name	Request Date	From Permanent Position	Class Code	To Category	Current Salary	Amount Requested	Pro Rated Amount Approved
820	772	Waynesboro City	8/8/2014	pos. 00005	PA	Temporary	\$24,435	\$24,435	\$22,399
820	772	Waynesboro City	8/8/2014	pos. 00007	SEC	Temporary	\$24,435	\$24,435	\$22,399
820	772	Waynesboro City	8/8/2014	pos. 00009	SEC	Temporary	\$24,435	\$24,435	\$22,399
		Waynesboro City Total					\$73,305	\$73,305	\$67,196

771-15-02: COMMISSIONERS OF THE REVENUE
NONE.

774-15-02: TREASURERS

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
ARLINGTON COUNTY	TREASURER	<p>8-6-2014 Acting Officer requests additional Temporary Funding @ \$25,241.31. This is equivalent to position #27 CDIV @ \$73,877 from July 1, 2014 to November 4, 2014. The Special Election will be held on November 4, 2014.</p> <p>Officer Acknowledges that this request for "additional" funding is made in lieu of a request to transfer these funds to Temporary Funds budget, as she understands that the Compensation Board's interpretation of §24.2-226 and 228 is that position #27 CDIV is not vacant during the period in which she is the Acting Treasurer, consequently funds cannot be transferred from this position.</p>	\$0	Approved at no additional cost to the Compensation Board.

774-15-02: TREASURERS

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
CITY OF FALLS CHURCH	TREASURER	<p>8-6-2014 Acting Officer requests additional Temporary Funding @ \$6,102.72. This is equivalent to position #4 @ \$21,015 from July 18, 2014 to November 4, 2014. The Special Election will be held on November 4, 2014.</p> <p>Officer Acknowledges that this request for "additional" funding is made in lieu of a request to transfer these funds to the Temporary Funds budget, as she understands that the Compensation Board's interpretation of §24.2-226 and 228 is that position #4 DII is not vacant during the period in which she is the Acting Treasurer, consequently funds cannot be transferred from this position.</p>	\$0	Approved at no additional cost to the Compensation Board.

773-15-02: CIRCUIT COURT CLERKS

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
GREENSVILLE COUNTY	CIRCUIT COURT CLERK	<p>8-4-2014 Officer requests to transfer the annual vacant salary of position 00005 to Temporary Funds.</p> <p>Officer states he does not intend to fill the vacant position in FY15.</p>	\$0	Approved per the Compensation Board's FY15 Budget Priorities and Policies. This is a one-time transfer, not in the base budget

FIPS	Office Code	Locality Name	Request Date	From Permanent Position	Class Code	To Category	Current Salary	Amount Requested	Pro Rated Amount Approved
081	773	Greensville County	8/4/2014	pos. 00005	BKKR	Temporary	\$9,190	\$9,190	\$8,424
		Greensville County Total					\$9,190	\$9,190	\$8,424

773-15-02: CIRCUIT COURT CLERKS

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
YORK COUNTY	CIRCUIT COURT CLERK	<p>8-6-2014 Acting Officer requests additional Temporary Funding in the amount of \$23,398.96. This is equivalent to the salary of position #00004 DCI of \$25,862 from August 1, 2014 to June 30, 2015. The Special Election will be held on November 3, 2015.</p> <p>This request for "additional" funding is made in lieu of a request to transfer these funds to Temporary Funds budget, as I understand that the Compensation Board's interpretation of §24.2-226 and 228 is that position #00004 DCI is not vacant during the period in which I am the Acting Circuit Court Clerk, consequently funds cannot be transferred from this position.</p>	\$0	Approved at no additional cost to the Compensation Board.
CHESTERFIELD COUNTY	CIRCUIT COURT CLERK	8-7-2014 In response to the Board's request of July 23, 2014, Acting Officer provides letter of update regarding workload status and use of Board-allocated funds.	N/A	Noted.

OTHER MATTERS

NEW BUSINESS:

	<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
1.	MEETING MINUTES	COMPENSATION BOARD	Staff presents minutes for approval as follows: Docket #15/01.	N/A	Approved.
2.	COMPENSATION BOARD MEETINGS	COMPENSATION BOARD	Confirmation of upcoming Board meetings: Wednesday, September 24, 2014 at 11:00 a.m. and Wednesday, October 22, 2014 at 11:00 a.m.	N/A	Approved.
3.	FY15 BUDGET DEVELOPMENT PROCESS	COMPENSATION BOARD	Staff provides overview of budget development process and potential budget amendment items for submission to DPB.	N/A	Noted.
4.	CONVERSION OF PART-TIME COMMONWEALTH'S ATTORNEYS TO FULL-TIME	COMMONWEALTH'S ATTORNEY	Staff provides information to the Compensation Board regarding the conversion of Commonwealth's Attorneys' offices from Part-Time to Full-Time status. Of 4 part-time Commonwealth's Attorneys' offices eligible to elect conversion to full-time status, no office made such an election. Consequently, no budget amendment seeking funding for office conversions will be necessary.	N/A	Noted.
5.	TECHNOLOGY TRUST FUND COLLECTIONS	COMPENSATION BOARD	FY14 Collections & Expenditures: Final FY14 collections totaled \$7,101,838.09, which is an 18.22% decrease compared to FY13. FY14 Expenditures of Clerk's budgeted Technology Trust Funds totaled \$4,202,868.37, or 55.25% of budgeted TTF. FY15 Expenditures: The FY15 TTF budget request process continues through August 31 st . Requests for funding will be considered at the September 24, 2014 board meeting.	N/A	Noted.

FOR YOUR INFORMATION
NONE.

**CLOSED MEETING
COMPENSATION BOARD DOCKET #15/02
August 14, 2014**

NO CLOSED MEETING

1) **MOTION FOR “CLOSED MEETING” by Chairman Susan Swecker. (_____ seconded the motion).**

- ☐ Under the provisions of Section 2.2-3711.A.1, Code of Virginia, I move that the Compensation Board hold a **Closed Meeting** to discuss personnel issues—discussion of interview applicants, assignment, appointment, promotion, performance, salaries, discipline or resignation of specific officers, appointees or employees.
- ☐ Under the provisions of Section 2.2-3711.A.7, Code of Virginia, I move that the Compensation Board hold a **Closed Meeting** for consultation with legal counsel and/or briefing by staff members pertaining to actual or “probable litigation” concerning

When the closed meeting is complete, the public body must ***immediately*** reconvene in open session and take a recorded vote of its members in roll call fashion.

MOTION BY CHAIRMAN SUSAN SWECKER: I move to certify that only public business exempt from the Act was discussed.
(_____ seconded the motion.)

Susan Swecker, Chairman	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Craig Burns, Member	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Martha Mavredes, Member	Yes <input type="checkbox"/>	No <input type="checkbox"/>

AND

MOTION BY CHAIRMAN SUSAN SWECKER: I move to certify that only public business matters identified in the motion to convene the closed meeting were discussed. (_____ seconded the motion.)

Susan Swecker, Chairman	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Craig Burns, Member	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Martha Mavredes, Member	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Any member who cannot certify must state the specific details of the unauthorized discussion on the record. That record can be used as evidence in a lawsuit brought against the public body for violating the Act.

H A N D C A R R Y
COMPENSATION BOARD DOCKET #15/02
August 14, 2014

EMPLOYEE RECOGNITION
NONE.

307-15-02: SHERIFFS & REGIONAL JAILS
NONE.

772-15-02: COMMONWEALTH'S ATTORNEYS
NONE.

771-15-02: COMMISSIONERS OF THE REVENUE
NONE.

774-15-02: TREASURERS
NONE.

773-15-02: CIRCUIT COURT CLERKS

NEW BUSINESS:

LOCALITY	OFFICER	REQUEST	TOTAL COST	COMPENSATION BOARD ACTION
HAMPTON CITY	CIRCUIT COURT CLERK	<p>8-7-2014 Officer requests reconsideration of the FY15 Reallocation Policy based on extensive workload criteria not included in the Staffing methodology and outlined in documentation provided.</p> <p>Officer also requests to amend the CY11, CY12 and CY13 Civil Action workload data.</p> <p>Officer states, after an extensive review of previously reported statistics, all numbers are conclusive with the exception of the Civil Actions.</p> <p>Officer requests to correct the totals for Civil Actions as follows below.</p> <ul style="list-style-type: none">'2013' is changed from 1,999 to be 2,295'2012' is changed from 2,033 to be 2,417'2011' is changed from 1,811 to be 2,229 <p>Officer has provided documentation substantiating this request to change workload data.</p> <p>Staff notes FY15 Staffing Standards: Currently - Ranked 115, Due -1.74 FTE and is in -9.69% of Need After Revision - Ranked 114, Due -1.5 FTE and in -8.35% of Need</p> <p>Staff notes this office was due to lose 2 positions under the position reallocation policy in FY14. One unfunded position was eliminated and the office remains in excess of the staffing standards by 1 position in FY15. Officer currently has 1 position vacant in FY15.</p>	\$0	Compensation Board approved an exception to the position reallocation policy for the remainder of FY15, as a one-time exception to policy.

CURRENT

FIPS	OFFICE	LOCALITY	Category	CY11	CY12	CY13	Wkld Avg
650	773	Hampton City	Civil Actions	1,811	2,033	1,999	1,948

CORRECTION

FIPS	OFFICE	LOCALITY	Category	CY11	CY12	CY13	Wkld Avg
650	773	Hampton City	Civil Actions	2,229	2,417	2,295	2,314

773-15-02: CIRCUIT COURT CLERKS

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
VARIOUS	CIRCUIT COURT CLERK	<p>8-11-2014 Staff requests, on behalf of the following offices, an exception to the Excess Fee Revenue Refund policy, to maintain a monthly excess fee revenue refund process for FY15.</p> <p>Each of these offices has been in excess fee revenue status on a monthly basis since prior to 1997.</p> <p>019-773 Bedford County 061-773 Fauquier County 161-773 Roanoke County 179-773 Stafford County</p> <p>For 019, 061 and 161, each officer has indicated the February 2014 payroll reimbursement exceeded monthly fee revenues due to February being a month with 20 business days, 1 Federal Holiday day, and unusually bad weather conditions resulting in each office being closed for 2 days. This resulted in there only being 17 days in the month that the offices were open and resulted in a reduction in Real Estate Recordings for the month.</p> <p>For 179, the officer claimed reimbursement in one month for a significant amount of office expenses previously incurred during the year, and reimbursable to the locality using accrued vacancy savings. This reimbursement resulted in an unusual monthly reimbursement amount that exceeded that month's fee revenue collections.</p> <p>In each of these offices, the Clerks' fees have remained consistently in excess of the normal monthly expenditure reimbursements.</p>	N/A	Approved as an exception to policy, based upon the specific conditions stated by the officer.

OTHER MATTERS
NONE.

FOR YOUR INFORMATION
NONE.

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Public Body: Compensation Board
Date: August 14, 2014
Time: 11:00 a.m.
Location: Compensation Board Conference Room
Oliver Hill Building, 102 Governor Street
Richmond, VA 23219
Members: Susan Swecker, Chairman (present)
Martha Mavredes, ex-officio member (present)
Craig Burns, ex-officio member (absent)